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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**FEE TRANSMITTAL FOR AMENDMENTS**

Atty. Docket No.  
VIGN1130-1



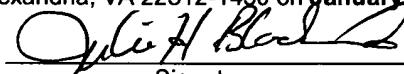
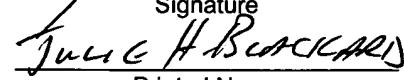
Applicant <b>Igor A. Shmulevich</b>	
Application Number <b>09/682,655</b>	Date Filed <b>10/02/2001</b>
Title <b>Method for Creating Templates to Convert Data into Target Markup Languages</b>	
Group Art Unit <b>2151</b>	Examiner <b>Patel, Ashokkumar B.</b>
Confirmation Number: <b>5246</b>	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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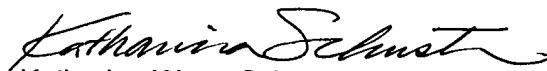
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Respectfully submitted,

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPEAL BRIEF

Atty. Docket No.  
VIGN1330-1

Applicant <b>Igor A. Shmulevich</b>	
Application Number <b>09/682,655</b>	Date Filed <b>10/02/2001</b>
Title <b>SYSTEM AND METHOD FOR CREATING TARGET-SPECIFIC DATA CONVERSION TEMPLATES USING A MASTER STYLE TEMPLATE</b>	
Group Art Unit <b>2151</b>	Examiner <b>Patel, Ashokkumar B.</b>

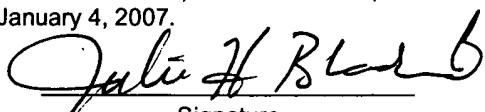
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In accordance with the Notice of Panel Decision from Pre-Appeal Brief Review dated December 4, 2006, the Appellant presents this Appeal Brief. The Appellant respectfully requests that this appeal be considered by the Board of Patent Appeals and Interferences.

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### **I. REAL PARTY IN INTEREST**

The subject application is owned by Vignette, a corporation organized and existing under and by virtue of the laws of the State of Delaware, and having its principal place of business at 1301 S. MoPac Expressway, Suite 100, Austin, TX 78746.

### **II. RELATED APPEALS AND INTERFERENCES**

The Appellant believes that there are no related appeals or interferences.

### **III. STATUS OF CLAIMS**

Claims 1-25 stand rejected under 35 U.S.C. § 102(e). Claims 1-25 are being appealed.

### **IV. STATUS OF AMENDMENTS**

Claims 1-21 were originally filed in the present application with Claims 1, 10, and 19 being independent. Independent Claim 22 and dependent Claims 23-24 were added by the Appellant's Response to Office Action dated May 3, 2004. Independent Claim 25 was added by the Appellant's Response to Office Action dated December 7, 2005. No amendments were filed subsequent to the last Office Action on the merit dated June 14, 2006. The Appendix hereto reflects the status of amendments to Claims 1-25.

## V. SUMMARY OF THE CLAIMED SUBJECT MATTER

Independent Claims 1, 10, 19, 22, and 25 are involved in the present appeal. The Appellant respectfully submits the following concise explanation of the subject matter defined in each of the independent Claims 1, 10, 19, 22, and 25.

Claim 1 recites:

A method for generating a plurality of service templates for the conversion of unformatted data to markup language files, comprising:

examining non-display-formatted service data corresponding to a selected service to be displayed on one or more target devices or classes of devices;

defining in a master style template a plurality of blocks of data corresponding to markup languages and presentation capabilities of the target devices or classes of devices;

creating a plurality of service templates using one or more blocks of data selected from the master style template; and

configuring each service template for converting the non-display-formatted service data into markup language data adapted to be displayed on one of the target devices or classes of devices.

At the time the invention was made, information providers typically provide information in a single format through the use of hypertext markup language (HTML). See Specification, paras. 5-6. The same information (i.e., the generic data from the information provider, also known as the service data) is transmitted to different types of client devices running different types of browsers which have different capabilities. *Id.* One of the difficulties in accommodating all of these different types of client devices is that each of these client devices may use a different markup language which is specifically adapted to the capabilities of the corresponding device. See Specification, para. 8. To enable the conversion of the generic data to the appropriate markup language for each of the client devices, prior solutions typically involve the use of a set of templates. *Id.* One drawback is that each of the templates is configured to convert data corresponding to one particular service into a markup language corresponding to one particular client device. See Specification, para. 9. This one-to-one correspondence is created whenever it is desired to enable the transfer of data to a new client device or to transfer data corresponding to a new service to an existing client. *Id.* That is, to support a new client device, a set of templates corresponding to each of the available services would have to be created for the new client device. *Id.* Likewise, to support a new data service, a set of templates corresponding to each supported client device would have to be created for the new data

service. *Id.* Because the creation of new templates is difficult, the need to create a new set of template for each new client device or service presents a daunting task. *Id.*

Embodiments of the invention as recited in independent Claim 1 provide a new solution to the creation of new data conversion templates. Specifically, the method according to Claim 1 involves the use of a master template from which individual templates can be generated and then used to convert unformatted data into a format which is suitable for presentation via a corresponding client device. See Specification, *para.* 37. More specifically, according to Claim 1, the first step is to examine non-display-formatted service data to get more information. Within the disclosure of the invention, the term "non-display-formatted service data" is used interchangeably with "unformatted data" and refers to XML or similar data that does not contain information relating to the manner in which the data should be formatted for the purposes of presentation. See Specification, *para.* 34. The non-display-formatted service data may be in one of several forms which are considered not suitable for display on one or more target devices or classes of devices. See Specification, *para.* 35. Examples of non-display-formatted service data include text separated by delimiters such as commas, spaces, and XML tags. An example of non-display-formatted service data corresponding to a weather reporting service is provided in the disclosure. See Specification, *paras.* 28-32. Examples of target devices or classes of devices include personal computers, cellular phones, and pagers. See Specification, *para.* 36.

Suppose the weather reporting service is a new service to be displayed on a plurality of personal computers, cellular phones, and pagers. However, the unformatted data corresponding to the weather reporting service does not define presentation information, such as font, color, position on a page, etc. See Specification, *para.* 27. Thus, there is a need to create a new set of conversion templates that can be used to convert the non-display-formatted weather reporting service data into a format which is suitable for display on personal computers, cellular phones, and pagers, etc. In prior solutions, a set of templates corresponding to each supported personal computer, cellular phone, pager or the like would have to be individually created for the new weather reporting service in a tedious, time-consuming, and costly manner. See Specification, *para.* 54. Embodiments of the invention as recited in Claim 1 overcome the disadvantage of prior solutions and provide a new way to generate conversion templates, as needed or automatically, to accommodate new data services or devices by first generating a

master style template for the conversion of the service data to various presentation formats. *See Specification, para. 38.*

The master style template provides information that defines the manner in which data for the selected service is presented as well as information on the presentation capabilities of the client devices. *See Specification, para. 40.* The master style template is not used to directly convert unformatted data to a particular markup language. *Id.* The master style template is a master template for defining and setting presentation formats (font, size, color, position on a page, etc.) that are absent in the unformatted data from the information provider. *See Specification, para. 27.* Within the disclosure of the invention, the presentation format information defined in the master style template is referred to as building blocks from which the individual templates can be constructed. *See Specification, para. 40.* Each master style template follows a predetermined style. *See Specification, para. 50.* There can be more than one master style templates. *See Specification, para. 53.* When the master style template is written, the author chooses the manner in which data will be displayed (e.g., report headings may be displayed in a larger font than other data.) *See Specification, para. 50.* The presentation format information corresponds to markup languages and presentation capabilities of the target devices or classes of devices, with formatting for each type of non-display-formatted data defined in a separate building block. *Id.*

Following the above example, after defining a single style in a master template for the new weather reporting service, individual service templates can be created, as needed or automatically upon the completion of the master style template, for each of the device types (e.g., personal computer, cellular phone, pager, etc.) for which building blocks are defined in the master style template. *See Specification, paras. 52-53.* Each service template is generated by assembling appropriate building blocks selected from the master style template. *See Specification, para. 52.* In one embodiment, the functionality of selecting appropriate building blocks from the master style template and assembling them into individual service templates is implemented in a software application (a "wizard") executing on a server. *See FIGURE 3.* One embodiment of the wizard operates to identify the generic format (e.g., name-value pairs) of the non-display-formatted service data and select the building blocks from the master style template which are necessary to generate the display formatting for the identified generic data format. *See Specification, para. 40.*

Each service template thus generated is specific to the particular service associated therewith and to the corresponding one of the target devices or classes of devices and each is configured to receive the non-display-formatted service data and convert this data into a markup language format which is suitable for display on the associated device type. *See Specification, paras. 11 and 51.* The service templates are therefore also referred to as device templates and target-specific data conversion templates.

Claim 10 recites:

A method comprising:  
providing service data in a first format;  
for at least a portion of the data, examining the service data to identify name-value pairs;  
providing a master style template containing presentation format information for converting each name-value pair in the service data into a plurality of alternate formats, each of which is adapted to be displayed on one of a plurality of client devices;  
selecting presentation formats from the master style template based on the identified name-value pairs in the service data; and  
constructing a plurality of service templates from the presentation formats selected from the master style template, wherein each service template is configured to convert the portion of the service data into one of the alternate formats.

At the time the invention was made, information providers typically provide information in a single format through the use of hypertext markup language (HTML). *See Specification, paras. 5-6.* The same information (i.e., the generic data from the information provider, also known as the service data) is transmitted to different types of client devices running different types of browsers which have different capabilities. *Id.* One of the difficulties in accommodating all of these different types of client devices is that each of these client devices may use a different markup language which is specifically adapted to the capabilities of the corresponding device. *See Specification, para. 8.* To enable the conversion of the generic data to the appropriate markup language for each of the client devices, prior solutions typically involve the use of a set of templates. *Id.* One drawback is that each of the templates is configured to convert data corresponding to one particular service into a markup language corresponding to one particular client device. *See Specification, para. 9.* This one-to-one correspondence is created whenever it is desired to enable the transfer of data to a new client device or to transfer data corresponding to a new service to an existing client. *Id.* That is, to support a new client

device, a set of templates corresponding to each of the available services would have to be created for the new client device. *Id.* Likewise, to support a new data service, a set of templates corresponding to each supported client device would have to be created for the new data service. *Id.* Because the creation of new templates is difficult, the need to create a new set of template for each new client device or service presents a daunting task. *Id.*

Embodiments of the invention as recited in independent Claim 10 provide a new solution to the creation of new data conversion templates, also known as device templates and service templates as each is configured to receive non-display-formatted data for a specific service and convert this data into another format which is suitable for display on a specific device or class of devices. See Specification, *paras.* 11. Specifically, the method according to Claim 10 involves the use of a master template from which target-specific data conversion templates can be generated, as needed or automatically. Each target-specific data conversion template can then be used to convert service data in a first format not suitable for display into an alternate format which is suitable for presentation on a corresponding client device. See Specification, *para.* 37. More specifically, the method according to Claim 10 comprises providing service data in a first format from which name-value pairs (i.e., generic data format) can be identified. See Specification, *para.* 40. At least a portion of the service data is examined to identify the name-value pairs contained therein. See Specification, *para.* 52.

The method according to Claim 10 further comprises a step of providing a master style template. Within the disclosure, the master style template provides information that defines the manner in which data for the selected service is presented as well as information on the presentation capabilities of the client devices. See Specification, *para.* 40. The master style template is not used to directly convert unformatted data to a particular markup language. *Id.* According to Claim 10, the master style template contains presentation format information for converting each name-value pair in the service data into a plurality of alternate formats, each of which is adapted to be displayed on one of a plurality of client devices. See Specification, *paras.* 41-50.

Based on the identified name-value pairs in the service data, the method according to Claim 10 further comprises selecting presentation formats from the master style template. See Specification, *para.* 52. In one embodiment, the functionality of selecting presentation formats from the master style template is implemented in a software application (a "wizard") executing

on a server. *See Specification, para. 40 and FIGURE 3.* The master template follows a predetermined style, with formatting for each type of unformatted data defined in a separate building block. *See Specification, para. 50.*

In the method according to Claim 10, the selected presentation formats are then used to construct a plurality of service templates, each of which is constructed by assembling appropriate information (i.e., presentation formats) selected from the master style template based on the name-value pairs identified in the service data which are not suitable for display on client devices. *See Specification, paras. 50-52.* Each service template thus generated is specific to the particular service associated therewith and to the corresponding one of the client devices or classes of devices and each is configured to receive the service data, which is in a first format not suitable for display, and convert this data into an alternate format which is suitable for display on the associated device type. *See Specification, paras. 11 and 51.*

Claim 19 recites:

A computer-readable medium containing a plurality of instructions, wherein the instructions are configured to cause a computer to perform the method comprising:

reading service data corresponding to a selected service;  
examining the service data to identify at least one generic format of the service data;

based on the generic format in the service data, selecting, from a master style template, presentation format information corresponding to markup languages and presentation capabilities of a plurality of device types; and

generating a plurality of service templates using the presentation format information selected from the master style template, wherein each of the plurality of service templates is configured to convert the service data from a non-displayable format into markup language data adapted to be displayed on a corresponding type of device.

At the time the invention was made, information providers typically provide information in a single format through the use of hypertext markup language (HTML). *See Specification, paras. 5-6.* The same information (i.e., the generic data from the information provider, also known as the service data) is transmitted to different types of client devices running different types of browsers which have different capabilities. *Id.* One of the difficulties in accommodating all of these different types of client devices is that each of these client devices may use a different markup language which is specifically adapted to the capabilities of the corresponding

device. *See Specification, para. 8.* To enable the conversion of the generic data to the appropriate markup language for each of the client devices, prior solutions typically involve the use of a set of templates. *Id.* One drawback is that each of the templates is configured to convert data corresponding to one particular service into a markup language corresponding to one particular client device. *See Specification, para. 9.* This one-to-one correspondence is created whenever it is desired to enable the transfer of data to a new client device or to transfer data corresponding to a new service to an existing client. *Id.* That is, to support a new client device, a set of templates corresponding to each of the available services would have to be created for the new client device. *Id.* Likewise, to support a new data service, a set of templates corresponding to each supported client device would have to be created for the new data service. *Id.* Because the creation of new templates is difficult, the need to create a new set of template for each new client device or service presents a daunting task. *Id.*

Embodiments of the invention as recited in independent Claim 19 provide a new solution to the creation of new data conversion templates, also known as device templates and service templates as each is configured to receive non-display-formatted data for a specific service and convert this data into another format which is suitable for display on a specific device or class of devices. *See Specification, paras. 11.* Specifically, Claim 19 is directed to a computer-readable medium containing a plurality of instructions configured to cause a computer to perform a particular method comprising the step of reading service data corresponding to a selected service. The service data may be one of several forms which are, for the purposes of the disclosure of the invention, considered to be unformatted. *See Specification, para. 35.* That is, the service data corresponding to a selected service is considered to be not in a format which is suitable for display on a client device. *Id.* The service data is examined to identify at least one generic format of the service data. *See Specification, para. 41.* Based on the generic format in the service data, presentation format information is selected from a master style template. *See Specification, para. 52.* The selected presentation format information corresponds to markup languages and presentation capabilities of a plurality of device types on which the service data is to be displayed. *See Specification, para. 50.* A plurality of service templates is generated by assembling the presentation format information selected from the master style template, wherein each of the plurality of service templates is configured to convert the service data from a non-displayable format into markup language data adapted to be displayed on a corresponding type of device. *See Specification, para. 51.* The master style template follows a

predetermined style and is not used to directly convert the service data to a particular markup language. *See Specification, para. 40.*

Claim 22 recites:

A method for generating templates suitable for adapting data to a format, comprising:

analyzing data pertaining to a service to configure a master style template; and

generating a plurality of data conversion templates using presentation formats selected from the master style template, wherein the master style template defines a style for the presentation of the data on a plurality of target devices or classes of devices and each data conversion template is configured to adapt the data for display on one of the plurality of target devices or classes of devices.

At the time the invention was made, information providers typically provide information in a single format through the use of hypertext markup language (HTML). *See Specification, paras. 5-6.* The same information (i.e., the generic data from the information provider, also known as the service data) is transmitted to different types of client devices running different types of browsers which have different capabilities. *Id.* One of the difficulties in accommodating all of these different types of client devices is that each of these client devices may use a different markup language which is specifically adapted to the capabilities of the corresponding device. *See Specification, para. 8.* To enable the conversion of the generic data to the appropriate markup language for each of the client devices, prior solutions typically involve the use of a set of templates. *Id.* One drawback is that each of the templates is configured to convert data corresponding to one particular service into a markup language corresponding to one particular client device. *See Specification, para. 9.* This one-to-one correspondence is created whenever it is desired to enable the transfer of data to a new client device or to transfer data corresponding to a new service to an existing client. *Id.* That is, to support a new client device, a set of templates corresponding to each of the available services would have to be created for the new client device. *Id.* Likewise, to support a new data service, a set of templates corresponding to each supported client device would have to be created for the new data service. *Id.* Because the creation of new templates is difficult, the need to create a new set of template for each new client device or service presents a daunting task. *Id.*

Embodiments of the invention as recited in independent Claim 22 provide a new solution to the creation of new data conversion templates, also known as device templates and service templates as each is configured to receive non-display-formatted data for a specific service and convert this data into another format which is suitable for display on a specific device or class of devices. *See Specification, paras. 11.* Specifically, Claim 22 is directed to a method for generating a plurality of data conversion templates suitable for adapting data to a format, comprising the step of analyzing data pertaining to a service to configure a master style template. The service data may be one of several forms which are, for the purposes of the disclosure of the invention, considered to be unformatted. *See Specification, para. 35.* That is, the data pertaining to a service is in a format which is not considered to be suitable for display on a client device. *Id.* The service data is analyzed to obtain information which is then used to generate a master style template for the conversion of the service data to various presentation formats for display. *See Specification, para. 38.* For example, data pertaining to a weather report service may contain a generic format of name-value pairs (e.g., the name/variable "WindSpeed" has a value of "5" or <WindSpeed>5</WindSpeed> in XML). *See Specification, paras. 25 and 40-41.* Following a single, predetermined style, the master template defines the presentation formats in which the data pertaining to a service (e.g., the weather report service data) is to be presented (i.e., displayed) on a particular device or a class of devices (i.e., one of the target devices or classes of devices). *See Specification, paras. 40-50.* Once the master style template is constructed, a plurality of data conversion templates suitable for adapting the service data to a display format is then generated, as needed or automatically upon the configuration of the master style template, by assembling the presentation formats selected from the master style template. *See Specification, para. 51.* The selected presentation formats correspond to markup languages and presentation capabilities of a plurality of target devices or classes of devices on which the service data is to be displayed. *See Specification, para. 50.* Each data conversion template is configured to adapt the service data, which is in a form considered to be not suitable for display, to an alternate format that is suitable for display on one of the plurality of target devices or classes of devices. *See Specification, para. 51.* The master style template defines the style for the presentation of service data. *See Specification, para. 53.* The master style template itself is not used to directly convert the service data to a particular markup language. *See Specification, para. 40.*

Claim 25 recites:

A target-specific data conversion method comprising:

examining service data to be delivered to one or more target devices or classes of devices, wherein said service data is not displayable on said one or more target devices or classes of devices;

generating a plurality of target-specific data conversion templates using one or more building blocks selected from a master style template; wherein said master style template contains a plurality of building blocks corresponding to markup languages and presentation capabilities of a plurality of devices and classes of devices which include said one or more target devices or classes of devices; and

configuring each target-specific data conversion template for converting said service data into a markup language format displayable on a specific target device or class of devices.

At the time the invention was made, information providers typically provide information in a single format through the use of hypertext markup language (HTML). *See Specification, paras. 5-6.* The same information (i.e., the generic data from the information provider, also known as the service data) is transmitted to different types of client devices running different types of browsers which have different capabilities. *Id.* One of the difficulties in accommodating all of these different types of client devices is that each of these client devices may use a different markup language which is specifically adapted to the capabilities of the corresponding device. *See Specification, para. 8.* To enable the conversion of the generic data to the appropriate markup language for each of the client devices, prior solutions typically involve the use of a set of templates. *Id.* One drawback is that each of the templates is configured to convert data corresponding to one particular service into a markup language corresponding to one particular client device. *See Specification, para. 9.* This one-to-one correspondence is created whenever it is desired to enable the transfer of data to a new client device or to transfer data corresponding to a new service to an existing client. *Id.* That is, to support a new client device, a set of templates corresponding to each of the available services would have to be created for the new client device. *Id.* Likewise, to support a new data service, a set of templates corresponding to each supported client device would have to be created for the new data service. *Id.* Because the creation of new templates is difficult, the need to create a new set of template for each new client device or service presents a daunting task. *Id.*

Embodiments of the invention as recited in independent Claim 25 provide a new solution to the creation of new data conversion templates, also known as device templates and service templates as each is configured to receive non-display-formatted data for a specific service and

convert this data into another format which is suitable for display on a specific device or class of devices. See Specification, *paras.* 11. Specifically, Claim 25 is directed to a target-specific data conversion method comprising the step of examining service data to be delivered to one or more target devices or classes of devices, wherein the service data is not displayable on the one or more target devices or classes of devices. The service data may be one of several forms which are, for the purposes of the disclosure of the invention, considered to be unformatted. See Specification, *para.* 35. That is, the data pertaining to a service is in a format which is not considered to be suitable for display on a client device. *Id.* Examples of unformatted service data include text separated by delimiters such as commas, spaces, and XML tags. See Specification, *paras.* 28-32. Examples of target devices or classes of devices include personal computers, cellular phones, and pagers. See Specification, *para.* 36.

The method of Claim 25 further comprises generating a plurality of target-specific data conversion templates that can be used to convert the unformatted service data into a format which is suitable for display on the one or more target devices or classes of devices. In prior solutions, a set of templates corresponding to each supported client device would have to be individually created for each new service in a tedious, time-consuming, and costly manner. See Specification, *para.* 54. Embodiments of the invention as recited in Claim 25 overcome the disadvantage of prior solutions and provide a new way to generate conversion templates, as needed or automatically, to accommodate new data services or devices by first generating a master style template for the conversion of the service data to various presentation formats. See Specification, *para.* 38.

The master style template provides information that defines the manner in which data for the selected service is presented as well as information on the presentation capabilities of the client devices. See Specification, *para.* 40. The master style template is not used to directly convert unformatted data to a particular markup language. *Id.* The master style template is a master template for defining and setting presentation formats (font, size, color, position on a page, etc.) that are absent in the unformatted data from the information provider. See Specification, *para.* 27. Within the disclosure of the invention, the presentation format information defined in the master style template is referred to as building blocks from which the individual templates can be constructed. See Specification, *para.* 40. Each master style template follows a predetermined style. See Specification, *para.* 50. There can be more than one master style templates. See Specification, *para.* 53. When the master style template is

written, the author chooses the manner in which data will be displayed (e.g., report headings may be displayed in a larger font than other data.) *See Specification, para. 50.* The presentation format information corresponds to markup languages and presentation capabilities of the target devices or classes of devices, with formatting for each type of non-display-formatted data defined in a separate building block. *Id.*

After defining a single style in a master template for the new service, individual target-specific data conversion templates can be created, as needed or automatically upon the completion of the master style template, for each of the device types (e.g., personal computer, cellular phone, pager, etc.) using one or more building blocks selected from the master style template. *See Specification, paras. 52-53.* Each target-specific data conversion template is generated by assembling appropriate building blocks selected from the master style template. *See Specification, para. 52.* In one embodiment, the functionality of selecting appropriate building blocks from the master style template and assembling them into individual service templates is implemented in a software application (a “wizard”) executing on a server. *See FIGURE 3.* One embodiment of the wizard operates to identify the generic format (e.g., name-value pairs) of the non-displayable service data and select the building blocks from the master style template which are necessary to generate the display formatting for the identified generic data format. *See Specification, para. 40.*

Each target-specific data conversion template thus generated is specific to the particular service associated therewith and to the corresponding one of the target devices or classes of devices and each is configured to receive the non-displayable service data and convert this data into a markup language format which is displayable on a specific target device or class of devices. *See Specification, paras. 11 and 51.*

## VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

In the last Office Action dated June 14, 2006 ("last Office Action"), Claims 1-25 were collectively rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication 2002/0073119 A1 (hereinafter referred to as "Richard").

The examiner alleged that, as to independent Claim 1, Richard teaches a method for generating a plurality of service templates for the conversion of unformatted data to markup language files. Specifically, as to the claim limitation of "examining non-display-formatted service data corresponding to a selected service to be displayed on one or more target devices or classes of devices" the examiner cited Fig. 4 and reproduced portions of paragraph 58 of Richard, "Embodiments of the present invention allow data from the heterogeneous data sources 410, 420, 430 to be easily modified and reused in different contexts." and paragraph 54 of Richard, "The 'Broker' module 330 has access to a repository module 360 adapted to record the most common requests and profiles associated with repository module 360. For example, when information encoded in HTML is transformed into information encoded in WML, the repository module 360 knows the physical characteristics of the device submitting the request." The examiner did not provide an explanation or clarification as to the connection between the two cited paragraphs of Richard and the claim limitation.

Referring to Claim 1, as to the claim limitation of "defining in a master style template a plurality of blocks of data corresponding to markup languages and presentation capabilities of the target devices or classes of devices," the examiner reproduced the following paragraphs of Richard:

[0076] General Structure of an XF Conversion Script: Templates

[0077] On the syntactic level, an XF conversion script is a document in markup language that is composed of a list of procedures. Each procedure is applicable to nodes of a document that satisfy a well-defined condition. One example of a condition could be "is a node of the `paragraph` type in the body of the document?". A condition and a procedure associated with that condition are called templates. Examples of templates would be as follows:

[0078] Template A: for any node satisfying condition A, do (procedure A).

[0079] Template B: for any node satisfying condition B, do (procedure B).

[0080] . . .

[0081] Template Z: for any node satisfying condition Z, do (procedure Z).

After paragraphs 76-81, EXAMPLE 2, of Richard, the examiner reproduced a portion of paragraph 60, EXAMPLE 1, of Richard, "In this example, the converter 440 (or "XGate converter") obtains or collects the heterogeneous data from the data sources 410, 420, 430. The converter 440 then standardizes this heterogeneous data by assembling the necessary information to produce a stream of standardized output data. The stream of standardized output data can be in any of number of markup languages. For example, the stream of standardized output data could be produced in XML language, since the flexibility of XML language makes it possible to define a markup structure that is appropriate in this particular application." The examiner did not provide an explanation or clarification as to the connection between the cited paragraphs of two examples of Richard and the claim limitation.

Referring to Claim 1, as to the claim limitation of "creating a plurality of service templates using one or more blocks of data selected from the master style template," the examiner reproduced portions of paragraph 60 of Richard, "The stream of standardized output data can be in any of number of markup languages" and paragraph 88 of Richard, "Thus, the XF conversion script is composed of a list of template procedures with each procedure described by the "template" tag. For the conversion to be performed, the procedures are now executed." The examiner did not provide an explanation or clarification as to the connection between the cited paragraphs of Richard and the claim limitation.

Referring to Claim 1, as to the claim limitation of "configuring each service template for converting the non-display-formatted service data into markup language data adapted to be displayed on one of the target devices or classes of devices," the examiner again reproduced paragraphs 54 and 76-81 of Richard and alleged: "As stated above, an XF Conversion Script is a master style template which contains "A condition and a procedure associated with that condition are called templates (a plurality of service templates, [0102] An XF conversion script is a series of templates. FIG. 9 shows the first template called in the list of templates that make up the XF conversion script. This template is also known as a "base template", and is called for the "HTML" node of the tree of the input document. In a web page, the "HTML" node is the root node of the document.") Wherein, for example, para. [0060] "The application logic 450 only specifies its needs in XML via a request/result conversion XF script." Thus, XF Conversion Script has a plurality [of] blocks of data to used[sic] to create a plurality of service templates

which converts the service data into any markup language data to be displayed on the target devices."

As to independent Claim 10, the examiner alleged that Richard teaches a method as set forth in Claim 10. Specifically, as to the claim limitations of "providing service data in a first format" and "for at least a portion of the data, examining the service data to identify name-value pairs," the examiner cited Fig. 4 of Richard and reproduced portions of paragraph 58 of Richard, "Embodiments of the present invention allow data from the heterogeneous data sources 410, 420, 430 to be easily modified and reused in different contexts." and paragraph 54 of Richard, "The 'Broker' module 330 has access to a repository module 360 adapted to record the most common requests and profiles associated with repository module 360. For example, when information encoded in HTML is transformed into information encoded in WML, the repository module 360 knows the physical characteristics of the device submitting the request." The examiner noted that the name value-value[sic] pair is present in the markup language. However, the examiner did not provide an explanation or clarification as to the connection between the two cited paragraphs of Richard, particularly the alleged presence of name-value pairs in the markup language, and the claim limitation.

Referring to Claim 10, as to the claim limitation of "providing a master style template containing presentation format information for converting each name-value pair in the service data into a plurality of alternate formats, each of which is adapted to be displayed on one of a plurality of client devices," the examiner reproduced the following paragraphs of Richard:

[0076] General Structure of an XF Conversion Script: Templates

[0077] On the syntactic level, an XF conversion script is a document in markup language that is composed of a list of procedures. Each procedure is applicable to nodes of a document that satisfy a well-defined condition. One example of a condition could be "is a node of the `paragraph` type in the body of the document?". A condition and a procedure associated with that condition are called templates. Examples of templates would be as follows:

[0078] Template A: for any node satisfying condition A, do (procedure A).

[0079] Template B: for any node satisfying condition B, do (procedure B).

[0080] . . .

[0081] Template Z: for any node satisfying condition Z, do (procedure Z).

After paragraphs 76-81, EXAMPLE 2, of Richard, the examiner reproduced a portion of paragraph 60, EXAMPLE 1, of Richard, "In this example, the converter 440 (or "XGate converter") obtains or collects the heterogeneous data from the data sources 410, 420, 430. The converter 440 then standardizes this heterogeneous data by assembling the necessary information to produce a stream of standardized output data. The stream of standardized output data can be in any of number of markup languages. For example, the stream of standardized output data could be produced in XML language, since the flexibility of XML language makes it possible to define a markup structure that is appropriate in this particular application." and paragraph 54 of Richard, "The 'Broker' module 330 has access to a repository module 360 adapted to record the most common requests and profiles associated with repository module 360. For example, when information encoded in HTML is transformed into information encoded in WML, the repository module 360 knows the physical characteristics of the device submitting the request." The examiner noted that the name value-value[*sic*] pair is present in the markup language. However, the examiner did not provide an explanation or clarification as to the connection between the two examples and the cited paragraphs of Richard, particularly the alleged presence of name-value pairs in the markup language, and the claim limitation.

Referring to Claim 10, as to the claim limitation of "selecting presentation formats from the master style template based on the identified name-value pairs in the service data," the examiner cited paragraphs 77-81 of Richard. The examiner did not provide an explanation or clarification as to the connection between the cited paragraphs of Richard and the claim limitation.

Referring to Claim 10, as to the claim limitation of "constructing a plurality of service templates from the presentation formats selected from the master style template, wherein each service template is configured to convert the portion of the service data into one of the alternate formats," the examiner cited paragraphs 38 and 76-81 of Richard and reproduced a portion of paragraph 54 of Richard, "The 'Broker' module 330 has access to a repository module 360 adapted to record the most common requests and profiles associated with repository module 360. For example, when information encoded in HTML is transformed into information encoded in WML, the repository module 360 knows the physical characteristics of the device submitting the request." The examiner alleged: "As stated above, an XF Conversion Script is a master style template which contains "A condition and a procedure associated with that condition are called templates (a plurality of service templates, [0102] An XF conversion script is a series of

templates. FIG. 9 shows the first template called in the list of templates that make up the XF conversion script. This template is also known as a “base template”, and is called for the “HTML” node of the tree of the input document. In a web page, the “HTML” node is the root node of the document.”) Wherein, for example, para. [0060] “The application logic 450 only specifies its needs in XML via a request/result conversion XF script.” Thus, XF Conversion Script has a plurality [of] blocks of data to used[*sic*] to create a plurality of service templates which converts the service data into any markup language data to be displayed on the target devices.”

As to independent Claim 19, the examiner did not articulate the rejections. The examiner alleged that “Claim 19 is a claim to a computer-readable medium containing a plurality of instructions, wherein the instructions are configured to cause a computer to perform the method of claim 1. Therefore claim 19 is rejected for the reasons set forth for claim 1.”

As to independent Claim 22, the examiner alleged that Richard teaches a method for generating templates suitable for adapting data to a format. Specifically, as to the claim limitation of “analyzing data pertaining to a service to configure a master style template,” the examiner cited Fig. 4 of Richard and reproduced portions of paragraph 58 of Richard, “Embodiments of the present invention allow data from the heterogeneous data sources 410, 420, 430 to be easily modified and reused in different contexts.” and paragraph 54 of Richard, “The ‘Broker’ module 330 has access to a repository module 360 adapted to record the most common requests and profiles associated with repository module 360. For example, when information encoded in HTML is transformed into information encoded in WML, the repository module 360 knows the physical characteristics of the device submitting the request.” The examiner apparently copied some extraneous rejections from rejections to Claim 10 because “corresponding to a selected to be displayed on one or more target devices or classes of devices” is not part of this claim limitation of Claim 22. The examiner did not provide an explanation or clarification as to the connection between the cited portions of Richard and the claim limitation.

Referring to Claim 22, as to the claim limitation of “generating a plurality of data conversion templates using presentation formats selected from the master style template, wherein the master style template defines a style for the presentation of the data on a plurality of target devices or classes of devices and each data conversion template is configured to

adapt the data for display on one of the plurality of target devices or classes of devices," the examiner reproduced the following paragraphs of Richard:

[0076] General Structure of an XF Conversion Script: Templates

[0077] On the syntactic level, an XF conversion script is a document in markup language that is composed of a list of procedures. Each procedure is applicable to nodes of a document that satisfy a well-defined condition. One example of a condition could be "is a node of the `paragraph` type in the body of the document?". A condition and a procedure associated with that condition are called templates. Examples of templates would be as follows:

[0078] Template A: for any node satisfying condition A, do (procedure A).

[0079] Template B: for any node satisfying condition B, do (procedure B).

[0080] . . .

[0081] Template Z: for any node satisfying condition Z, do (procedure Z).

The examiner apparently copied some extraneous rejections, citing paragraphs 38 and 54 of Richard, from rejections to Claim 10 because "each of which is adapted to be displayed on one of a plurality of client devices" is not part of this claim limitation of Claim 22. The examiner nevertheless alleged: "As stated above, an XF Conversion Script is a master style template which contains "A condition and a procedure associated with that condition are called templates (a plurality of service templates, [0102] An XF conversion script is a series of templates. FIG. 9 shows the first template called in the list of templates that make up the XF conversion script. This template is also known as a "base template", and is called for the "HTML" node of the tree of the input document. In a web page, the "HTML" node is the root node of the document.") Wherein, for example, para. [0060] "The application logic 450 only specifies its needs in XML via a request/result conversion XF script." Thus, XF Conversion Script has a plurality [of] blocks of data to used[sic] to create a plurality of service templates which converts the service data into any markup language data to be displayed on the target devices."

As to independent Claim 25, the examiner alleged that Richard teaches a target-specific data conversion method as set forth in Claim 25. Specifically, as to the claim limitation of "examining service data to be delivered to one or more target devices or classes of devices, wherein said service data is not displayable on said one or more target devices or classes of devices," the examiner cited Fig. 4 of Richard and reproduced portions of paragraph 58 of

Richard, "Embodiments of the present invention allow data from the heterogeneous data sources 410, 420, 430 to be easily modified and reused in different contexts." and paragraph 54 of Richard, "The 'Broker' module 330 has access to a repository module 360 adapted to record the most common requests and profiles associated with repository module 360. For example, when information encoded in HTML is transformed into information encoded in WML, the repository module 360 knows the physical characteristics of the device submitting the request." The examiner apparently copied some extraneous rejections from rejections to Claim 10 because "corresponding to a selected to be displayed on one or more target devices or classes of devices" is not part of this claim limitation of Claim 25. The examiner did not provide an explanation or clarification as to the connection between the cited portions of Richard and the claim limitation.

Referring to Claim 25, as to the claim limitation of "generating a plurality of target-specific data conversion templates using one or more building blocks selected from a master style template; wherein said master style template contains a plurality of building blocks corresponding to markup languages and presentation capabilities of a plurality of devices and classes of devices which include said one or more target devices or classes of devices," the examiner reproduced the following paragraphs of Richard:

[0076] General Structure of an XF Conversion Script: Templates

[0077] On the syntactic level, an XF conversion script is a document in markup language that is composed of a list of procedures. Each procedure is applicable to nodes of a document that satisfy a well-defined condition. One example of a condition could be "is a node of the `paragraph` type in the body of the document?". A condition and a procedure associated with that condition are called templates. Examples of templates would be as follows:

[0078] Template A: for any node satisfying condition A, do (procedure A).

[0079] Template B: for any node satisfying condition B, do (procedure B).

[0080] . . .

[0081] Template Z: for any node satisfying condition Z, do (procedure Z).

The examiner apparently copied some extraneous rejections, citing paragraphs 60 and 54 of Richard, from rejections to Claim 10 because "each of which is adapted to be displayed on one of a plurality of client devices" is not part of this claim limitation of Claim 25. The examiner did not provide an explanation or clarification as to the connection between the cited portions of

Richard and the claim limitation.

Referring to Claim 25, as to the claim limitation of “configuring each target-specific data conversion template for converting said service data into a markup language format displayable on a specific target device or class of devices,” the examiner cited paragraphs 76-81 or Richard and reproduced a portion of paragraph 54 of Richard, “The ‘Broker’ module 330 has access to a repository module 360 adapted to record the most common requests and profiles associated with repository module 360: For example, when information encoded in HTML is transformed into information encoded in WML, the repository module 360 knows the physical characteristics of the device submitting the request.” From there, the examiner alleged: “As stated above, an XF Conversion Script is a master style template which contains “A condition and a procedure associated with that condition are called templates (a plurality of service templates, [0102] An XF conversion script is a series of templates. FIG. 9 shows the first template called in the list of templates that make up the XF conversion script. This template is also known as a “base template”, and is called for the “HTML” node of the tree of the input document. In a web page, the “HTML” node is the root node of the document.”) Wherein, for example, para. [0060] “The application logic 450 only specifies its needs in XML via a request/result conversion XF script.” Thus, XF Conversion Script has a plurality [of] blocks of data to used[*sic*] to create a plurality of service templates which converts the service data into any markup language data to be displayed on the target devices.”

## VII. ARGUMENT

### REJECTIONS UNDER 35 U.S.C. §102(e)

#### 1. Introduction

Claims 1-25 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication 2002/0073119 A1 (hereinafter referred to as "Richard"). The Appellant respectfully submits that Richard does not anticipate independent Claims 1, 10, 19, 22, and 25 and their dependent Claims 2-9, 11-18, 20-21, and 23-24.

The issues on appeal are whether Richard teaches an invention identical to the Appellant's invention, describing each and every claim limitation of the Appellant's invention, whether the examiner's claim interpretation is within the context of the Appellant's disclosure, and whether, by relying on Richard, the examiner has made a *prima facie* case of anticipation under 35 U.S.C. § 102(e).

#### 2. Prior Art

At the time the invention was made, information providers typically provide information in a single format through the use of hypertext markup language (HTML). *See Specification, paras. 5-6.* The same information (i.e., the generic data from the information provider, also known as the service data) is transmitted to different types of client devices running different types of browsers which have different capabilities. *Id.* One of the difficulties in accommodating all of these different types of client devices is that each of these client devices may use a different markup language which is specifically adapted to the capabilities of the corresponding device. *See Specification, para. 8.* To enable the conversion of the generic data to the appropriate markup language for each of the client devices, prior solutions typically involve the use of a set of templates. *Id.* One drawback is that each of the templates is configured to convert data corresponding to one particular service into a markup language corresponding to one particular client device. *See Specification, para. 9.* This one-to-one correspondence is created whenever it is desired to enable the transfer of data to a new client device or to transfer data corresponding to a new service to an existing client. *Id.* That is, to support a new client

device, a set of templates corresponding to each of the available services would have to be created for the new client device. *Id.* Likewise, to support a new data service, a set of templates corresponding to each supported client device would have to be created for the new data service. *Id.* Because the creation of new templates is difficult, the need to create a new set of template for each new client device or service presents a daunting task. *Id.*

Richard appears to recognize a different problem, namely, the inability of an “eXtensible Style Language” (XSL) transformation process to reuse existing HTML documents. See Richard, *para.* 13. To address this problem, Richard proposes a data conversion mechanism which uses an appropriate script written in the conversion language to “blindly” process a large number of Web sites so their content or other information within a markup format can be automatically translated. See Richard, *para.* 35. To implement this data conversion mechanism, Richard proposes to use, among others, a tier architecture, an SGML parser and dynamic tree-to-tree transformations. *Id.* The tier architecture is used to control multiple target requests, grouping and organizing responses into markup documents. *Id.* The SGML parser is used to generate the tree of the resulting document as a dynamic mode representing the content of the original data. *Id.* The dynamic tree-to-tree transformation is provided via a “template/match/select” script, using tools such as an ECMAScript interpreter. *Id.*

The “blind” process aspect of Richard seems to refer to the data conversion mechanism’s ability to convert input data marked up in any one of a plurality of markup formats into output data in any one of the plurality of markup formats without regard to the specific type of input information or to the specific type of client device on which the information is to be displayed. See Richard, *para.* 15. In other words, Richard’s data conversion mechanism is not concerned with whether the converted data is in a markup format suitable for display on a client device. FIGURE 4 of Richard shows an example (EXAMPLE 1) of how this is done via a tier type architecture in which each tier has a well-defined responsibility.

Specifically, as shown in FIGURE 4 of Richard, the sources of heterogeneous data reside at Tier 4, an XGate converter, which performs aggregation and standardization on the data from Tier 4, resides at Tier 3, an e-commerce application logic resides at Tier 2, and a presentation interface (to a client device) resides at Tier 1. Since the XGate converter outputs standardized data in a markup language requested by the e-commerce application logic, “the manner in which the information is physically displayed on the screen of the person requesting it

is not the responsibility of the application. A web browser will translate the HTML stream output by the application logic in terms of display instructions.” See Richard, *para.* 59. The output data from the XGate converter can be in XML. See Richard, *para.* 60.

FIGURE 5 of Richard shows another example (EXAMPLE 2) of the four-tier architecture in which the XGate converter is used to convert HTML data into WML data for a mobile device. The conversion work is performed in a continuous stream, so a portion of the input data that is input first can be output before all of the input data has been read. See Richard, *para.* 71. More specifically, an input tree is built based on the XML stream and node-to-node transformation begins before the tree is completely constructed to provide a rapid response. See Richard, *para.* 72. The node-to-node transformation is accomplished by interpreting an XF conversion script, which is a document in markup language composed of a list of procedures, each of which applies to nodes of a document that satisfy a well-defined condition. See Richard, *para.* 77. Richard refers to each combination of a condition and an associated procedure as a template (e.g., Template A consists of a condition A and a procedure A marked by a pair of opening and closing tags.) See Richard, *paras.* 78-82. Each template procedure represents a method of an object belonging to the class of nodes as defined in the DOM specification by the W3C consortium. See Richard, *para.* 87. A method called “applyTemplate( )” determines an order of searching and executing a template procedure that is applicable to the nodes of the tree encountered during a specified traversal of the tree. See Richard, *para.* 91.

Neither examples of Richard appear to be concerned with the creation of new target-specific data conversion templates using presentation format information selected from a master style template.

### **3. Improvement Over Prior Art**

Embodiments of the invention provide a new solution to the creation of new data conversion templates. Specifically, embodiments of the invention as claimed in Claims 1-25 involve the use of a master template from which individual service-specific, device-specific data conversion templates can be generated and then used to convert unformatted data into a format which is suitable for presentation on a corresponding client device. See Specification, *para.* 37.

More specifically, embodiments of the invention are concerned with the manner in which non-display-formatted service data is physically displayed on the screen of the device

requesting it. Within the disclosure of the invention, the term "non-display-formatted service data" is used interchangeably with "unformatted data" and refers to XML or similar data that does not contain information relating to the manner in which the data should be formatted for the purposes of presentation. *See Specification, para. 34.* The non-display-formatted service data may be in one of several forms which are considered not suitable for display on one or more target devices or classes of devices. *See Specification, para. 35.* Examples of non-display-formatted service data include text separated by delimiters such as commas, spaces, and XML tags. An example of non-display-formatted service data corresponding to a weather reporting service is provided in the disclosure. *See Specification, paras. 28-32.* Examples of target devices or classes of devices include personal computers, cellular phones, and pagers. *See Specification, para. 36.*

Suppose the weather reporting service is a new service to be displayed on a plurality of personal computers, cellular phones, and pagers. However, the unformatted data corresponding to the weather reporting service does not define presentation information, such as font, color, position on a page, etc. *See Specification, para. 27.* In Richard, someone would have to program new template procedures to describe the operation necessary to convert the non-display-formatted weather reporting service data into a format which is suitable for display on personal computers, cellular phones, and pagers, etc. *See Richard, para. 85.* Programming the template procedures individually can be a tedious, time-consuming, and costly manner. *See Specification, para. 54.* Embodiments of the invention overcome the disadvantage of prior solutions and provide a new way to generate data conversion templates, as needed or automatically, to accommodate new data services or devices by first generating a master style template for the conversion of the service data to various presentation formats. *See Specification, para. 38.*

The master style template provides information that defines the manner in which data for the selected service is presented as well as information on the presentation capabilities of the client devices. *See Specification, para. 40.* The master style template is not used to directly convert unformatted data to a particular markup language. *Id.* The master style template is a master template for defining and setting presentation formats (font, size, color, position on a page, etc.) that are absent in the unformatted data from the information provider. *See Specification, para. 27.* Within the disclosure of the invention, the presentation format information defined in the master style template is referred to as building blocks from which the

individual templates can be constructed. See Specification, *para.* 40. Each master style template follows a predetermined style. See Specification, *para.* 50. There can be more than one master style templates. See Specification, *para.* 53. When the master style template is written, the author chooses the manner in which data will be displayed (e.g., report headings may be displayed in a larger font than other data.) See Specification, *para.* 50. The presentation format information corresponds to markup languages and presentation capabilities of the target devices or classes of devices, with formatting for each type of non-display-formatted data defined in a separate building block. *Id.*

Following the above example, after defining a single style in a master template for the new weather reporting service, individual service templates can be created, as needed or automatically upon the completion of the master style template, for each of the device types (e.g., personal computer, cellular phone, pager, etc.) for which building blocks are defined in the master style template. See Specification, *paras.* 52-53. Each service template is generated by assembling appropriate building blocks selected from the master style template. See Specification, *para.* 52. When constructing the master style template, the author/user can specify how these service templates should be built. See Specification, *paras.* 11 and 50. However, the author/user does not need to build these service templates individually. In one embodiment, the functionality of selecting appropriate building blocks from the master style template and assembling them into individual service templates is implemented in a software application (a "wizard") executing on a server. See FIGURE 3. One embodiment of the wizard operates to identify the generic format (e.g., name-value pairs) of the non-display-formatted service data and select appropriate building blocks of presentation format information from the master style template which are necessary to generate the display formatting for the identified generic data format. See Specification, *para.* 40.

Each service template thus generated is specific to the particular service associated therewith and to the corresponding one of the target devices or classes of devices and each service template is configured to receive the non-display-formatted service data and convert this data into a markup language format which is suitable for display on the associated device type. See Specification, *paras.* 11 and 51. The service templates are also referred to as device templates and target-specific data conversion templates.

#### **4. Examiner's / Appellant's Positions Regarding Novelty of The Invention**

The examiner asserted that the invention is anticipated by Richard. In particular, the examiner asserted that the XF Conversion Script of Richard is a master style template. More specifically, the examiner alleged: "As stated above, an XF Conversion Script is a master style template which contains "A condition and a procedure associated with that condition are called templates (a plurality of service templates, [0102] An XF conversion script is a series of templates. FIG. 9 shows the first template called in the list of templates that make up the XF conversion script. This template is also known as a "base template", and is called for the "HTML" node of the tree of the input document. In a web page, the "HTML" node is the root node of the document.") Wherein, for example, para. [0060] "The application logic 450 only specifies its needs in XML via a request/result conversion XF script." Thus, XF Conversion Script has a plurality [of] blocks of data to used[*sic*] to create a plurality of service templates which converts the service data into any markup language data to be displayed on the target devices."

The Appellant respectfully submits that Richard does not teach an invention identical to the Appellant's invention, that Richard neither expressly nor inherently describes each and every claim limitation of the Appellant's invention, and that examiner's claim interpretation is not within the context of the Appellant's disclosure. The Appellant further respectfully submits that the XF Conversion Script of Richard does not anticipate the claim term "master style template."

#### **5. Rejections Under 35 U.S.C. 102(e)**

##### **5.1 Examiner's Reasoning**

The examiner did not provide much reasoning beyond alleging that Richard's XF Conversion Script is a master style template and concluding that the XF Conversion Script has a plurality of blocks of data which is used to create a plurality of service templates. *Supra*. The examiner did not provide clear explanations as to the reason(s) that the cited paragraphs of Richard are applicable to the claim limitations.

##### **5.2 Flaws In The Examiner's Reasoning**

The Appellant respectfully submits that the examiner's allegation that Richard's XF Conversion Script is a master style template is flawed for several reasons. Firstly, the master

style template is a style template for defining and setting, in blocks of data, presentation formats (font, size, color, position on a page, etc.) that are absent in the unformatted data from the information provider. *See Specification, para. 27.* Within the disclosure of the invention, the presentation format information defined in the master style template is referred to as building blocks from which the individual templates can be constructed. *See Specification, para. 40.* Contrastingly, the XF conversion script of Richard is composed of a list of executable procedures, each of which applies to nodes of a document that satisfy a well-defined condition. *See Richard, para. 77.*

Secondly, each master style template follows a predetermined style. *See Specification, para. 50.* There can be other styles as well. *See Specification, para. 53.* When the master style template is written, the author chooses the manner in which data will be displayed (e.g., report headings may be displayed in a larger font than other data.) *See Specification, paras. 11 and 50.* The presentation format information in the master style template correspond to markup languages and presentation capabilities of the target devices or classes of devices, with formatting for each type of non-display-formatted data defined in a separate building block. *Id.* Contrastingly, the XF conversion script of Richard does not follow or define any particular style for any particular client devices. In Richard's four-tier architecture, the XF conversion script has a well-defined responsibility which does not include the physical display of the data that it converts. *See Richard, FIGURES 4 and 5, supra.* It simply processes the data "blindly." Moreover, the executable template procedures of the XF conversion script are written for well-defined conditions in a tree conversion process. *See Richard, para. 77.* Furthermore, each template procedure contained in the XF conversion script represents a method of an object belonging to the class of nodes as defined in the DOM specification by the W3C consortium. *See Richard, para. 87.*

Finally, the master style template is not used to directly convert unformatted data to a particular markup language. *See Specification, para. 40.* Contrastingly, the XF conversion script of Richard is used to perform node-to-node transformation, converting the data of each node from one markup language to another. *See Richard, para. 77.*

### 5.3 Examiner Has Failed To Show Prior Art Teaches An Identical Invention

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

"The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

When evaluating the scope of a claim, every limitation in the claim must be considered. Office personnel may not dissect a claimed invention into discrete elements and then evaluate the elements in isolation. Instead, the claim as a whole must be considered. See, e.g., *Diamond v. Diehr*, 450 U.S. at 188-89, 209 USPQ at 9 ("In determining the eligibility of respondents' claimed process for patent protection under 101, their claims must be considered as a whole. It is inappropriate to dissect the claims into old and new elements and then to ignore the presence of the old elements in the analysis. This is particularly true in a process claim because a new combination of steps in a process may be patentable even though all the constituents of the combination were well known and in common use before the combination was made.").

The Examiner's rejection did not show an identical invention in as complete detail as is contained in the claims and improperly omitted several terms. For example, although the term "corresponding" is recited twice in Claim 1, the rejection is silent as to the correlation between "non-display-formatted service data" and "a selected service to be displayed on one or more target devices or classes of devices" as well as the correlation between "a plurality of blocks of data" and "markup languages and presentation capabilities of the target devices or classes of devices," as recited in Claim 1. On the other hand, Richard explicitly teaches a "blind" data conversion process in which input data marked up in any one of a plurality of markup formats is rapidly converted into output data in any one of the plurality of markup formats without regard to the specific type of input information or to the specific type of client device on which the information is to be displayed. See Richard, para. 15. In other words, in Richard's data conversion process (Tier 3), there needs not be a correlation between the input data (Tier 4) and the manner in which the output data is physically displayed on a client device (Tier 1). As Richard describes, "the manner in which the information is physically displayed on the screen of the person requesting it is not the responsibility of the application. A web browser will translate the HTML stream output by the application logic in terms of display instructions." See Richard, para. 59.

The Examiner also improperly omitted the term “service” as recited in “examining non-display-formatted service data corresponding to a selected service to be displayed on one or more target devices or classes of devices,” “creating a plurality of service templates using one or more blocks of data selected from the master style template,” and “configuring each service template for converting the non-display-formatted service data into markup language data adapted to be displayed on one of the target devices or classes of devices.” Within the disclosure of the invention, the term “non-display-formatted service data” is used interchangeably with “unformatted data” and refers to XML or similar data that does not contain information relating to the manner in which the data should be formatted for the purposes of presentation. See Specification, *para.* 34. The non-display-formatted service data may be in one of several forms which are considered not suitable for display on one or more target devices or classes of devices. See Specification, *para.* 35. Examples of non-display-formatted service data include text separated by delimiters such as commas, spaces, and XML tags. On the other hand, since Richard’s XGate converter can convert data in a non-specific manner, the output data can be in XML. See Richard, *para.* 60.

#### **5.4 Examiner Has Failed To Interpret Claim Term(s) In The Context of The Invention**

An applicant is entitled to be his or her own lexicographer and may rebut the presumption that claim terms are to be given their ordinary and customary meaning by clearly setting forth a definition of the term that is different from its ordinary and customary meaning(s). See *In re Paulsen*, 30 F.3d 1475, 1480, 31 USPQ2d 1671, 1674 (Fed. Cir. 1994) (inventor may define specific terms used to describe invention, but must do so “with reasonable clarity, deliberateness, and precision” and, if done, must “set out his uncommon definition in some manner within the patent disclosure so as to give one of ordinary skill in the art notice of the change” in meaning) (quoting *Intellicall, Inc. v. Phonometrics, Inc.*, 952 F.2d 1384, 1387-88, 21 USPQ2d 1383, 1386 (Fed. Cir. 1992)). Where an explicit definition is provided by the applicant for a term, that definition will control interpretation of the term as it is used in the claim. *Toro Co. v. White Consolidated Industries Inc.*, 199 F.3d 1295, 1301, 53 USPQ2d 1065, 1069 (Fed. Cir. 1999) (meaning of words used in a claim is not construed in a “lexicographic vacuum; but in the context of the specification and drawings”)

The Appellant respectfully submits that the XF Conversion Script of Richard does not anticipate the term “master style template” as specifically described in the Appellant’s disclosure and particularly used in the claims. Within the disclosure of the invention, the master style

template is a style template for defining and setting presentation formats (font, size, color, position on a page, etc.) that are absent in the unformatted data from an information provider. See Specification, *para.* 27. Such a master style template follows a predetermined style. See Specification, *para.* 50. The master style template provides information that defines the manner in which data for the selected service is presented as well as information on the presentation capabilities of the client devices. See Specification, *para.* 40. The master style template is not used to directly convert unformatted data to a particular markup language. *Id.* Within the disclosure of the invention, the presentation format information defined in the master style template is referred to as building blocks from which the individual templates can be constructed. See Specification, *para.* 40. When the master style template is written, the author chooses the manner in which data will be displayed (e.g., report headings may be displayed in a larger font than other data.) See Specification, *paras.* 11 and 50. The presentation format information in the master style template corresponds to markup languages and presentation capabilities of the target devices or classes of devices, with formatting for each type of non-display-formatted data defined in a separate building block. *Id.*

These building blocks of the master style template are used to create data conversion templates whenever it is desired to enable the transfer of non-display-formatted service data to a new client device or to transfer non-display-formatted service data corresponding to a new service to an existing client. For example, after defining a style in a master template for a new weather reporting service, target-specific service templates can be created, as needed or automatically upon the completion of the master style template, for each of the device types (e.g., personal computer, cellular phone, pager, etc.) for which building blocks are defined in the master style template. See Specification, *paras.* 52-53. Each such service-specific data conversion template is generated by assembling appropriate building blocks of presentation formats selected from the master style template. See Specification, *para.* 52.

Contrastingly, Richard's XF conversion script is not a style template and no part of it is selectively used to create data conversion templates. Richard refers to each combination of a condition and an associated procedure as an XF template (e.g., Template A consists of a condition A and a procedure A marked by a pair of opening and closing tags.) See Richard, *paras.* 78-82. Each XF template procedure is executable and represents a method of an object belonging to the class of nodes as defined in the DOM specification by the W3C consortium. See Richard, *para.* 87. A method called "applyTemplate( )" determines an order of searching

and executing a template procedure that is applicable to the nodes of the tree encountered during a specified traversal of the tree. *See Richard, para. 91.* The XF conversion script of Richard already contains a list of templates, none of which appears to be used in the creation of additional, target-specific data conversion templates. Richard's XF conversion script is clearly and completely different from and thus does not anticipate the claimed term "master style template."

**5.5 Examiner Has Failed To Make A *Prima Facie* Case Of Anticipation Under 35 U.S.C. §102**

As submitted in the previous Replies filed August 3, 2004, April 6, 2005, September 21, 2005, and March 3, 2006, a master style template according to the Appellant's disclosure follows a predetermined style and contains predefined building blocks (i.e., presentation format information) designed to assist in displaying data according to this style. The individual data conversion templates are created, generated, or otherwise constructed using one or more building blocks of presentation format information selected from the master style template. Each data conversion template is target-specific and can convert non-displayable service data into a specific format suitable for display on the specific target device. Like the references cited in the previous Office Actions prior to the last Office Action, Richard neither expressly nor inherently describes generating a second kind of templates (i.e., data conversion templates) using style information (i.e., presentation formats) selected from a first kind of template (i.e., the master style template). The Appellant therefore respectfully submits that the examiner has failed to make a *prima facie* case of anticipation under 35 U.S.C. §102(e). Accordingly, the Appellant requests that the rejection of the claims under 35 U.S.C. §102(e) be withdrawn.

**5.6 Summary**

Embodiments of the invention can address the difficulties in accommodating different types of client devices having different markup languages specifically adapted to the capabilities of these different devices. Specifically, through the use of a master style template, embodiments of the invention provide new ways to create data conversion templates for these devices. Instead of having to create data conversion templates individually for a new data service, a user can construct a single master template to define a desired style for presentation of the new service data on the devices. Based upon the information contained in the master

template, a set of target-specific data conversion templates can then be generated.

**6. Conclusion**

As explained above, the Appellant believes that the applied prior art reference, Richard, does not anticipate independent Claims 1, 10, 19, 22, and 25, and their dependent Claims 2-9, 11-18, 20-21, and 23-24. Appellant therefore respectfully requests that all of the rejections be withdrawn and that all the pending Claims 1-25 be allowed.

A check in the amount of \$500.00 is included with this filing. While Appellant believes no further fees are due and owing, if Appellant is in error, the Commissioner is hereby authorized to deduct the appropriate amount from Deposit Account No. 50-3183 of Sprinkle IP Law Group.

Respectfully submitted,

**Sprinkle IP Law Group**



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## VIII. CLAIMS APPENDIX

1. (Previously Presented) A method for generating a plurality of service templates for the conversion of unformatted data to markup language files, comprising:
  - examining non-display-formatted service data corresponding to a selected service to be displayed on one or more target devices or classes of devices;
  - defining in a master style template a plurality of blocks of data corresponding to markup languages and presentation capabilities of the target devices or classes of devices;
  - creating a plurality of service templates using one or more blocks of data selected from the master style template;; and
  - configuring each service template for converting the non-display-formatted service data into markup language data adapted to be displayed on one of the target devices or classes of devices.
2. (Original) The method of claim 1 further comprising automatically generating the plurality of service templates.
3. (Original) The method of claim 1 further comprising querying a user for one or more labels corresponding to portions of the service data.
4. (Original) The method of claim 3 further comprising providing the user with one or more default labels, wherein the default labels comprise the tag names for the corresponding data in the service data.
5. (Previously Presented) The method of claim 1, wherein each of the plurality of blocks of data provides information for converting a selected portion of the service data into markup language data adapted to be displayed on a selected device or class of devices.
6. (Previously Presented) The method of claim 1 further comprising querying a user as to whether one or more portions of the service data will be included in the service templates.
7. (Previously Presented) The method of claim 1 wherein the service data comprises XML data.

8. (Previously Presented) The method of claim 1 wherein the plurality of blocks of data in the master style template define formats of the service data to be displayed on the target devices or classes of devices, wherein the formats include one or more HTML formats and one or more WML formats.
9. (Previously Presented) The method of claim 8 wherein one of the formats comprises XML.
10. (Previously Presented) A method comprising:
  - providing service data in a first format;
  - for at least a portion of the data, examining the service data to identify name-value pairs;
  - providing a master style template containing presentation format information for converting each name-value pair in the service data into a plurality of alternate formats, each of which is adapted to be displayed on one of a plurality of client devices;
  - selecting presentation formats from the master style template based on the identified name-value pairs in the service data; and
  - constructing a plurality of service templates from the presentation formats selected from the master style template, wherein each service template is configured to convert the portion of the service data into one of the alternate formats.
11. (Previously Presented) The method of claim 10 further comprising querying a user for a label for each name-value pair in the service data.
12. (Original) The method of claim 11 wherein querying the user for the label for each name-value pair comprises presenting the user with a default label and querying the user to either accept the default label or provide an alternate label.
13. (Original) The method of claim 12 wherein the default label comprises an XML tag that forms the name in the name-value pair.
14. (Previously Presented) The method of claim 10 wherein the master style template comprises an XML application.

15. (Previously Presented) The method of claim 10 wherein the plurality of service\_templates are configured to convert the service data into a plurality of distinct markup language files.

16. (Original) The method of claim 15 wherein the plurality of distinct markup language files comprise at least one form of HTML and at least one form of WML.

17. (Previously Presented) The method of claim 10 wherein the first format comprises XML.

18. (Previously Presented) The method of claim 10 wherein the first format comprises a native database format.

19. (Previously Presented) A computer-readable medium containing a plurality of instructions, wherein the instructions are configured to cause a computer to perform the method comprising:

reading service data corresponding to a selected service;

examining the service data to identify at least one generic format of the service data;

based on the generic format in the service data, selecting, from a master style template, presentation format information corresponding to markup languages and presentation capabilities of a plurality of device types; and

generating a plurality of service templates using the presentation format information selected from the master style template, wherein each of the plurality of service templates is configured to convert the service data from a non-displayable format into markup language data adapted to be displayed on a corresponding type of device.

20. (Original) The computer-readable medium of claim 19 wherein the method further comprises automatically generating the plurality of service templates.

21. (Original) The computer-readable medium of claim 19 wherein the method further comprises providing the user with one or more default labels, wherein the default labels comprise the tag names for the corresponding data in the service data and querying a user for one or more labels corresponding to portions of the service data.

22. (Previously Presented) A method for generating templates suitable for adapting data to a format, comprising:

analyzing data pertaining to a service to configure a master style template; and

generating a plurality of data conversion templates using presentation formats selected from the master style template, wherein the master style template defines a style for the presentation of the data on a plurality of target devices or classes of devices and each data conversion template is configured to adapt the data for display on one of the plurality of target devices or classes of devices.

23. (Previously Presented) The method of claim 22, wherein the master style template comprises a plurality of blocks, each of the plurality of blocks providing information for converting a portion of the data into a markup language file displayable by one of the plurality of target devices or classes of devices.

24. (Previously Presented) The method of claim 23, wherein each data conversion template is generated using one or more blocks selected from the plurality of blocks of the master style template, the selected one or more blocks corresponding to one of the target devices or classes of devices for which the data conversion template is configured to adapt the data.

25. (Previously Presented) A target-specific data conversion method comprising:

examining service data to be delivered to one or more target devices or classes of devices, wherein said service data is not displayable on said one or more target devices or classes of devices;

generating a plurality of target-specific data conversion templates using one or more building blocks selected from a master style template; wherein said master style template contains a plurality of building blocks corresponding to markup languages and presentation capabilities of a plurality of devices and classes of devices which include said one or more target devices or classes of devices; and

configuring each target-specific data conversion template for converting said service data into a markup language format displayable on a specific target device or class of devices.

## **IX. EVIDENCE APPENDIX**

Appellant believes that no additional evidence is to be presented.

**X. RELATED PROCEEDINGS APPENDIX**

Appellant believes that there are no related appeals or interferences.